

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 4:11-cv-00077-RWS
	)	
AMEREN MISSOURI,	)	Honorable Rodney W. Sippel
	)	
Defendant.	)	
	)	

**PLAINTIFF’S MOTION TO COMPEL PRODUCTION OF COMMUNICATIONS  
BETWEEN AMEREN AND THIRD PARTY UTILITY INDUSTRY ASSOCIATIONS**

For the reasons set forth in the accompanying memorandum of law, the United States of America, acting on behalf of the United States Environmental Protection Agency (“EPA”), pursuant to Fed. R. Civ. P. 37 and Eastern District Local Rule 37-3.04, respectfully moves for an order compelling Defendant Ameren Missouri (“Ameren”) to produce communications between third party electric utility industry associations, including Utility Air Regulatory Group, and Ameren related to the operation, interpretation, implementation, or enforcement of EPA’s New Source Review and Prevention of Significant Deterioration regulations, between 2002 and 2011.<sup>1</sup>

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<sup>1</sup> In accordance with Local Rule 37-3.04, the United States has conferred with counsel for Ameren in a good faith attempt to resolve this dispute. *See* Ex. A, Email Communication between Jeannice Williams and Andrew Hanson. Counsel for the United States attempted to discuss this matter further with Ameren’s counsel, Ms. Williams, by telephone on September 26, 2014, but received Ms. Williams’ voicemail. Further efforts to discuss this matter via telephone were unsuccessful.

Dated: September 30, 2014

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Acting Assistant Attorney General

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### **CERTIFICATE OF SERVICE**

I hereby certify that on September 30, 2014, I served the foregoing with the Clerk of Court using the CM/ECF system, which will cause an electronic copy to be served on counsel of record, who are listed below:

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